

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

VANESSA BARRETT, et al.

PLAINTIFFS

V.

CIVIL ACTION NO. 3:21-CV-124-HTW-LGI

CITY OF PELAHATCHIE, et al.

DEFENDANTS

ORDER STAYING CASE

This is a *sua sponte* Order submitted by this court to stay this entire litigation and all of its concomitant outstanding motions. On March 17, 2023, this court entered an Order [Docket no. 102], wherein this court denied Defendant Sheriff Bryan Bailey's *Renewed Motion for Judgment on the Pleadings, or Alternatively, Motion for Summary Judgment Premised on Qualified Immunity* [Docket no. 47],

On April 3, 2023, Defendant Sheriff Bailey appealed this court's decision to the United States Court of Appeals for the Fifth Circuit [Docket no.103]. On May 17, 2023, the Court of Appeals accepted Defendant's Electronic record of appeal for USCA Case number 23-60163.

Neither the parties nor this court has a timetable for when the Court of Appeals will render its decision; meanwhile, this court is powerless to reach the merits of this litigation, *inter alia*, issues concerning qualified immunity defenses raised by other individual defendants.

Accordingly, this court hereby STAYS this CASE and all its litigation until the United States Court of Appeals for the Fifth Circuit has rendered its ruling. This case and all of its Motions are to be removed from this court's active docket.

SO ORDERED this the 16th day of August, 2023.

/s/HENRY T. WINGATE
UNITED STATES DISTRICT COURT JUDGE